



AF/1617 IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/023,636
Applicant : Philip Furman, *et al.*
Filed : December 17, 2001
Title : DAPD Combination Therapy with Inosine Monophosphate Dehydrogenase Inhibitor
TC/A.AU. : 1617
Examiner : Russell Travers
Docket No. : 04674.105068 (TRI 1014 US)
Customer No. : 20786

Confirmation No. 4271

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

June 21, 2004

do not
enter

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116

Sir:

Responsive to the Office Action mailed April 21, 2004 and made final, please enter the following amendments and kindly consider the attached remarks.

Amendments to the Claims are reflected in the "Listing of Claims", which begin on page 2 of this paper.

Remarks and Arguments begin on page 7 of this paper.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this Response to Office Action, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 6-21-04.

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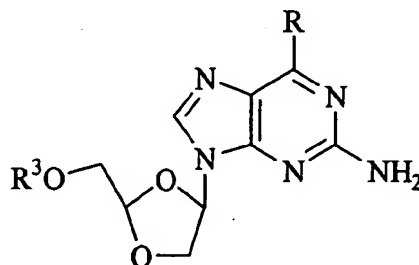

Susanne Hollinger

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of claims:

Claim 1 (Currently Amended): A pharmaceutical composition for the treatment of an HIV infection in a host, comprising an effective amount of a β -D-1,3-dioxolanyl purine of the formula:



or its pharmaceutically acceptable salt, wherein

R is H, OH, Cl, NH₂ or NR¹R²;

R¹ and R² are independently hydrogen, alkyl or cycloalkyl; and

R³ is H, alkyl, aryl, acyl, phosphate, monophosphate, diphosphate, triphosphate, a stabilized phosphate moiety, a phospholipid, or an ether lipid;

in combination with at least one inosine monophosphate dehydrogenase (IMPDH) inhibitor selected from the group consisting of mycophenolic acid and ribavirin or a pharmaceutically acceptable salt or ester thereof, optionally in a pharmaceutically acceptable carrier or diluent.

Claim 2 (Original): The composition of claim 1, wherein the β -D-1,3-dioxolanyl purine is (-)-(2R,4R)-2-amino-9-[(2-hydroxymethyl)-1,3-dioxolan-4-yl]-adenine (DAPD).

Claim 3 (Original): The composition of claim 1, wherein the β -D-1,3-dioxolanyl purine is (-)-(2R,4R)-9-[(2-hydroxymethyl)-1,3-dioxolan-4-yl]-guanine (DXG).

Claim 4 (canceled)